



APR 28 2008

HONORABLE  
U.S. DISTRICT JUDGE  
S.D.N.Y.

MICHAEL A. CARDOZO  
Corporation Counsel

THE CITY OF NEW YORK  
LAW DEPARTMENT  
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April 25, 2008

**BY FAX (212) 805-7901**

Honorable Harold Baer  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007

Re: Stephanie Alexis Melendez, et al, v. City of New York, et al.,  
07 Civ. 6511 (HB)

Your Honor:

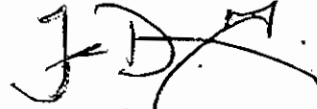
I am an Assistant Corporation Counsel in the Office of Michael A. Cardozo, Corporation Counsel of the City of New York, representing defendants City of New York and Police Officers Smith and McGeough in the above-referenced matter. Defendants write on behalf of all parties to respectfully request an enlargement of time for discovery from April 25, 2008 until May 30, 2008, and a corresponding enlargement of time by which dispositive motions shall be fully briefed from June 1, 2008 until July 1, 2008. Plaintiffs' counsel, Scott G. Cerbin, Esq., consents to this request, and the parties understand that such an enlargement of time does not effect the August 2008 Trial Calendar month previously provided for in Your Honor's Pre-Trial Scheduling Order.

Plaintiff Stephanie Alexis Melendez alleges that excessive force was used against her resulting in a fractured arm. The reason for the request for an enlargement of time is that while the parties previously requested plaintiff's medical records from Jacobi Medical Center, both parties continue to await receipt of those records. Until those medical records are obtained, the parties are unable to conduct plaintiff's deposition and engage in meaningful settlement negotiations.

Accordingly, defendants, on behalf of all parties, respectfully request an enlargement of time for discovery until May 30, 2008, and a corresponding enlargement of time until July 1, 2008 by which dispositive motions shall be fully briefed.

Thank you for your consideration herein.

Respectfully submitted,



Shawn D. Fabian (SF4606)  
Assistant Corporation Counsel  
Special Federal Litigation Division

cc: Scott G. Cerbin, Esq.  
Attorney for Plaintiffs  
26 Court Street, Suite 810  
Brooklyn, New York 11242

*OK is long as  
keep trial money +  
have 60 days for motions*

RECORDED  
*David Baer*  
Harold Baer, Jr., U.S.D.J.  
4/28/08

Endorsement:

OK so long as we keep trial month and I have 60 days for motions.